

REMARKS

This patent application presently includes claims 1 and 3-15, all of which stand rejected. Claim 1 is amended to define the Applicants' invention more clearly, and all rejections are respectfully traversed.

The Examiner objected to claims 6 and 8 for failing to have a period at the end of the claim. This has now been corrected. The Examiner also objected to claim 5, stating that the term "a" and "least" should be deleted. The only occurrence of "least" in claim 5 appears in line 1, and it is not followed by "a." Accordingly, it is not known what correction was intended by the Examiner, and this requirement is therefore traversed.

Claims 1-15 were rejected under 35 U.S.C. § 112 as indefinite. The Examiner cited two instances in claim 1 in which certain limitations lacked an antecedent basis. To correct this, claim 1 was amended at line 4 to recite "a buyer's" and at line 7 to recite "an interest rate." It is believed that claim 1 is now clear and concise and the rejection under 35 U.S.C. § 112 should be withdrawn.

Claim 4 was rejected under 35 U.S.C. § 112 the Examiner stating that the term "or" at line 3 should not have been deleted. The undersigned respectfully points out that claim 1 is now currently in the form "one of A, B, and C", which is an acceptable way of presenting alternatives without using the alternative term "or." It is there requested that the Examiner withdraw this rejection.

Claims 1-5 were rejected under 35 U.S.C. § 102(e) as anticipated by Talbort et al. published U.S. patent application no. 2002/0116312. This rejection is respectfully traversed. Talbort does not teach or even remotely suggest the invention is presently claimed.

It should be noted that claim 1 now has the limitation that at least one of the lenders is one of an individual investor and a non-professional investor. As pointed out above, this is equivalent to saying that at least one of the lenders is an individual investor or a non-professional

from an allowable claim. Accordingly, the two obviousness rejections should be withdrawn and all claims in this application should be allowed.

Applicants' attorney has made every effort to place this patent application in condition for allowance. It is therefore earnestly requested that this application, as a whole, receive favorable reconsideration and that all of the claims be allowed as presently constituted. Should there remain any unanswered questions, the Examiner is requested to call the Applicants' undersigned attorney at the telephone number indicated below.

Dated: September 3, 2004

Respectfully submitted,

By 

Joseph B. Lerch

Registration No.: 26,936

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant